UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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DISCOVER FINANCIAL SERVICES, INC.,

Plaintiff,

- aqainst -

VISA U.S.A., INC., VISA INTERNATIONAL SERVICE ASSOCIATION, MASTERCARD INCORPORATED, MASTERCARD INTERNATIONAL INCORPORATED,

Defendants.

AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC.,

Plaintiff,

- against -

VISA U.S.A., INC., et al.,

Defendants.

DOUGLAS F. EATON, United States Magistrate Judge.

I am responding to the joint letter from Discover Financial and Visa U.S.A., Inc. dated June 15, 2007 (18 pages, plus Exhs. A-H). Pursuant to my normal practice, I plan to keep the joint letter and its exhibits in my chambers file, and I do not plan to have it docketed.

I essentially agree with the positions stated by Visa at pages 9-17 of that letter. I deny each of the requests set forth by Discover Financial in its proposed order (Exh. H).

DOUGLAS F. EATON

United States Magistrate Judge 500 Pearl Street, Room 1360 New York, New York 10007

Telephone: (212) 805-6175 Fax: (212) 805-6181

Dated: New York, New York

June 20, 2007

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DATE FILED: 6/22/07

04 Civ. 7844 (BSJ) (DFE)

MEMORANDUM AND ORDER

This is an ECF case.

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04 Civ. 8967 (BSJ) (DFE)

MEMORANDUM AND ORDER

This is an ECF case.

Copies of this Memorandum and Order will be sent by fax to Jeffrey I. Shinder at 212-350-2701fax, and to Julie B. Rottenberg at 202-942-5999fax, and by electronic filing to all counsel and to Hon. Barbara S. Jones.